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Consideration of reports of States parties

List of issues in relation to the combined third to fifth periodic reports of the United Republic of Tanzania

Addendum

Replies of the United Republic of Tanzania to the list of issues*

[Date received: 19 December 2014]

Introduction

1. In January 2012 the State party submitted its combined third to fifth reports to the Committee on the Rights of the Child. In June 2014, the Committee on the Rights of the Child issued a list of issues requesting the State party to provide specific responses by 15 October 2014. In response to the list of issues, the State party conducted wide consultations with State and non-State actors, who provided valuable information in the preparation of the responses to the list of issues. Therefore, the State party wishes to make the following specific responses to the list of issues:

A. Coordination

2. With reference to paragraph 1 of the list of issues, the coordination of the implementation of the rights of the child is ensured at all levels, through two ministries (one for Zanzibar and one for the Mainland[1]), as child issues are currently not Union Matters.

* The present document is being issued without formal editing.

[1] For Tanzania Mainland, there is the Ministry of Community Development, Gender and Children (MCDGC), while in Zanzibar there is the Ministry of Empowerment, Social Welfare, Youth, Women and Children (MESWYWC).

Functionally, the two ministries have a coordination link when it comes to the implementation of the Convention. In this regard, the State party has ensured that child issues in the Mainland and Zanzibar are dealt with in accordance with the Convention. At the ministerial level, there are special departments/units that are responsible for coordination of child issues. When it comes to reporting, the Attorney General's office has a role to coordinate submission of reports to international human rights treaty bodies, including the Committee on the Rights of the Child.[2]

3. However, the State party faces a number of challenges in its efforts to ensure that coordination is mainstreamed at the Union level. First, children's issues are not part of the Union Matter.[3] Second, there is lack of financial and human resources to ensure that there is effective coordination between the two parts of the Union. Third, the standards of implementation of relevant ministerial policies that are implemented at the Local Government Authorities (LGAs) differ between the two parts of the Union due to their diverse governance structures as explained in part I of the State party's combined third to fifth periodic reports.

4. In order to address the foregoing challenges, the State party has ensured that there is an effective coordination mechanism. In particular, issues pertaining to policy, development, budget allocation, monitoring, implementation and reporting of the Convention in the Mainland are coordinated by the Ministry of Community Development, Gender and Children (MCDGC), while issues pertaining to most vulnerable children are coordinated by the Ministry of Health and Social Welfare (MoHSW). Whereas in Zanzibar the MESWYWC coordinates children's issues from the national to the shehia levels,[4] in the Mainland children's issues at the LGAs' level are coordinated by the Prime Minister's Office (PMORALG). In addition, the MCDGC established a National Advisory Committee to the matters relating to children both in Tanzania Mainland and Zanzibar.

5. In particular, the State party has made substantial progress in the implementation and coordination of various existing national action plans, strategies, programmes and child laws, as follows:

(a) Establishment of the National Multispectral Taskforce that meets quarterly, responsible for reviewing the implementation of the three year National Plan of Action on Violence Against Children (VAC);

(b) Establishment of the Implementation Partners Group that regularly meets to review the implementation of the four-year National Costed Plan of Action for Most Vulnerable Children (MVC) (NCPA II 2013–17);

(c) Establishment of Child Protection Teams as a mechanism to monitor, prevent and respond to issues related to child protection at the district and ward levels;

(d) Establishment of the National Steering Committee (a technical committee and secretariat for early childhood development (ECD));

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[2] See Section 14(1)(f) of the Office of the Attorney-General Act (2005).

[3] There is a new development regarding this issue because article 53 of the Proposed Constitution that was adopted by the Constituent Assembly on 2 October 2014 enshrines the rights of the child. This means that when the Proposed Constitution is adopted at a referendum to be held later, children's issues will fall under the ambit of Union Matters.

[4] Unlike in the Mainland where there are two ministries coordinating issues relating to children (i.e. MCDGC and MoHSW), in Zanzibar the MESWYWC is the sole coordination ministries through its Department of Women and Children (prevention of child abuses) and Department of Social Welfare (response to child abuses).

(e) The review of the Child Development Policy in order to streamline ECD issues;

(f) Adoption of the Children Agenda initiative through which all stakeholders meet quarterly to review the implementation of the activities that aim at investing in various sectors to save the lives of children and women, good nutrition, better hygiene and sanitation in schools and health facilities, early childhood development, equality education for all children, school safety, protection to infant and adolescent girls from HIV, reduction of teenage pregnancy, protection of children against violence, abuse and exploitation and children with disabilities;

(g) Adoption of the National Human Rights Action Plan (2013–2017), which sets out, inter alia, a comprehensive framework for the protection of child rights; and

(f) Adoption of the Strategy for Progressive Child Justice Reforms (2013–2017), that strives to ensure effective implementation of child protection in all spheres of life including in prisons.

6. In the implementation of Zanzibar Children's Act (2011), the State party has developed several sets of regulations, which cover various areas of child protection.[5] In both Zanzibar and the Mainland, the State party has developed the Children's Court and adopted rules to, inter alia, regulate the administration of juvenile justice in the Juvenile Court in the Mainland, with the rules for the Zanzibar Children's Court being at the final stage of adoption. In order to make the two child laws widely known, the State party has translated the same into Kiswahili and printed and widely disseminated them to all stakeholders, particularly children.

B. Allocation of resources

7. In respect of paragraph 2 of the list of Issues, the State party has ensured that resources are made available for the effective implementation and coordination of various existing National Action Plans, strategies, programmes and child laws. This is done through responsible line ministries and is clearly reflected in their budgets. In particular, in combating child labour for the past three years 2011/12–2014/15, the Ministry of Labour and Employment (MOLE, operational in the Mainland) has allocated funds amounting to Tshs 55,950,000.00, while the Department of Social Welfare (DSW) has allocated Tshs 2,429,085,420, in the same period. MOLE has also strengthened technical cooperation with United Nations agencies and development partners in this regard; with the ILO, working in collaboration with the Government of Brazil, providing technical and financial support in raising public awareness and enhancing capacity of the LGA officials on the effective implementation of the National Action Plan for Elimination of Child Labour (NAPECL).

8. However, the State party still faces a major challenge in respect of minimum resources that are available for the implementation of the Convention, a situation that has resulted in the State party's reliance on the respective United Nations agencies and development partner's support.

[5] These include draft Regulations on Child Protection, draft Regulations on Children's Residential Homes, draft Regulations on Adoption, draft Regulations on Day Care Centers and draft Regulations for effective function of children's court that was established in 2013.

C. Measures to enhance capacity of professionals working with children

9. In relation to paragraph 3 of the list of issues, the State party has taken various steps to build the capacity of professionals working with children in light of the Convention, including:

(a) Developing Guidelines and Standard Operating Procedures (SOPs) on how to handle children's cases at the Gender and Children Desks in police stations;

(b) Developing training manuals (both for the Police and the Judiciary) on how to handle cases involving children in police stations and in courts.[6] A team of 24 TOT's from the Judiciary and 64 officers from the Police and NGOs working with the Police have been trained to replicate the training to Police and Court professionals;

(c) Conducting training to 7 Judges, 82 Magistrates, 41 Advocates, 80 Social Welfare Officers and 3 Instructors from the Institute of Judicial Administration. In addition, the Police and NGO trainers have trained 1,267 Police Officers working at the Gender and Children Desks;[7]

(d) Conducting an assessment to take stock of the impact of the foregoing training, which indicated that there was an increase in reporting of cases of child abuses as a result of an increasing in public awareness on children's issues;

(e) The Office of the Director of Public Prosecutions (DPP) has trained 162 State Attorneys on the Convention, child laws and how to prosecute children's cases;

(f) MOLE in Tanzania Mainland has conducted a special training on the elimination of the worst forms of child labour in ten contexts of the "National Plan of Action for the Elimination of Child Labour (2009–2015)" to District Social Welfare Officers, Police Officers, District Community Development Officers, District Labour Officers, District Medical Officers, Judicial Officials and representatives of various civil society organizations (CSOs). A total of 875 (25 in each district in the Mainland) officers from 35 districts out of 128 districts in the Mainland were covered;

(g) Developing a training manual and training 217 law enforcers from the Ministry of Community Development, Gender and Children (MCDGC), the Ministry of Health and Social Welfare (MoHSW), the Ministry of Education and Vocational Training (MoEVT), Ministry of Home Affairs MoHA), the Ministry of Constitutional Legal Affairs (MCLA), the Prime Minister's Office (Regional Administration and Local Government and the Department of Social Welfare (PMO-RALGDSW, Tanzania Commission for AIDS (TACAIDS), The Office of the Director of Public Prosecutions (DPP), The Commission for Human Rights and Good Governance (CHRAGG), Tanzania Child Rights Forum (TCRF), and the Inter-Religious Council for Peace Tanzania (IRCPT);[8]

(h) Preparing a draft training manual on parenting skills aimed at eliminating violence against children at the family level; training started for 72 participants; the work is in progress;

(i) A total of 258 ECD professionals were trained on ECD essential packages;

(j) The Commission for Human Rights and Good Governance (CHRAGG) trained 35 Judges (13 women and 22 men) on the Convention and the child law;

[6] Notably, the training for professionals is an ongoing process.

[7] The training is conducted in the context of the Convention and other relevant international human rights treaties to which the State party is a party.

[8] In the main, the training focused on the key areas of the implementation of the Law of Child Act.

(k) A total of 35 Resident Magistrates in the Mainland Tanzania (19 men and 16 women) and 60 Education personnel were trained on issues relating to child protection based on the Law of the Child Act and the Children Development Policy; and

(l) A total of 466 professionals working with and for children from (Social Welfare Officers, Police Officers, Immigration Officers, Community Development Officers, Planning Officers, Teachers, Magistrates, Community Services Workers, and Child Care Workers) were trained on child protection in the course of implementing the child protection system strengthening programme.

10. In addition, the Mainland's MoHSW has been conducting ongoing training to health care providers, social welfare, prosecutors and police officers, who work with children directly. In fact, they are facilitated to help survivors in various ways aiming at enhancing the implementation of the National Plan of Action to Prevent and Respond to Violence against Children (2012–2015).

11. Moreover, in respect of Zanzibar, the State party has established three Gender and Children Desks in three regions: at the Madema Police Station in the Urban West Region (Unguja); at the Mwera Police Station in the South Region (Unguja); and at Chakechake Police Station in Pemba. Currently, the State party is working to establish another Gender and Children Desk at the Mahonda Police Station in the North Region (Unguja).

12. In addition, the State party has conducted a five-day training of trainers (ToT) session on basic training course for Police Officers on dealing with cases of gender-based violence (GBV) and child abuse delivered to 14 Police Trainers in June 2014. The first roll out of the training took place in June 2014 where 22 Police Gender and Children's Desk (PGCD) Officers, were trained in the Urban West Region (Unguja). Training for designated PGCD officers in the remaining (4) regions will be conducted in December 2014. In every Police Station in Zanzibar (34) at least 2 Police Officers have been designated as Gender and Children's Desk Officers.

D. Information on budgetary allocations for children

13. Regarding paragraph 4 of the list of issues, the State party's budgeting for children every sector has been shown in respective sectoral Medium Term Expenditure Review Frameworks (MTEF's). However, the MTEF's does not provide separate budgetary information for children, which is only done in respect of certain ministries like the MCDGC approved estimates 2012/13 (Local 3,000,000,000 + Foreign 461,341,000 = Total 3,461,341,000); 2013/14 (Local 4,500,000,000 + Foreign 541,672,000 = Total 9,910,672,000/=); 2014/15 Local 2,603,205,000 + Foreign 7,000,000,000 = 9,603,205,000; MOLE 2012/13 Local 0 + Foreign 2,835,800,000 = Total 2,835,800,000; 2013/14 Nothing; MoHSW 2012/13 Local 19,142,036,000 + Foreign 264,303,391,000= Total 283,446,029,000; 2013/14 Local 36,100,000,000 + 435,182,941,000 = Total 471,282,941,000; and MoEVT 2012/13 Local 18,561,089,000 + 74,019,628,000 = Total 92,581,317,000; 2013/14 Local 18,830,000,000 + Foreign 53,768,051,000 = Total 72,598,051,000.

14. In addition, the State party wishes to point out that, through the MOLE, it has adopted the National Plan of Action 2013, which requires all stakeholders working with and for children to work within that plan and report back to the Government on the successes and challenges encountered during the implementation of the Plan. According to the Tanzania Investment Promotion Policy 1996 as far as social and economic development of its people is concerned, the development of human resources plays a major role as a vehicle for social progress and building a strong, diversified and resilient competitive economy; in this regard there will be incentive to promote joint venture activities in all

social sectors. The Public Private Partnership Policy 2011 insists on corporate social responsibility to benefit indigenous people, by requiring all investors to actively collaborate and network with key ministries and development partners (such as FAO, ILO, Trade Unions, Employers Association and other partners and stakeholders) on issues contributing to addressing child labour and child protection in general. The investment policies state clearly that an investor has an obligation to bring a positive impact to surrounding communities through his/her investment projects. For instance, the Ministry of Labour and Employment, in collaboration with the IRC/Wekeza project, reviewed the NAP and updated its implementation to come up with the 2014 version.

15. Furthermore, the State party has undertaken several efforts to ensure that extractive industries are translated into investment prioritizing children, including:

(a) A project supported by PROSPER has created a large impact at field level in 20 villages of Sikonge and Urambo districts by reducing the adverse effects of child labour in the focus population and providing school supplies, desks, tables and stationeries to 1,800 children, 26 shallow wells in schools, and support interschool sports and games whereby a total of 3,300 school children have been enrolled and participate in this competition;

(b) Through conditional loans catalyzed by PROSPER, mothers have been able to do business and meet the education requirements of their children and other household expenses. In 2014 1,530 women from vulnerable households have been trained in business entrepreneurship of whom 984 have received loans. A total of 784 youth have been trained in good agricultural practice. Geita Gold Mining (GGM), WEKEZA, PROSPER and Songo Songo Gas companies and others have managed to comply with the NAP requirement by building schools, developing and strengthening capacities of its local actors, primary school teachers, community activists, community-based stakeholders and child labour committees through trainings which significantly impacted school attendance; and

(c) The establishment of the Child Labor Monitoring System (CLMS) has contributed very much to the withdrawal of children from child labour through the Red Card to Child Labour Campaign.

E. Measures to regulate the impact of the operations and activities of business enterprises on children's rights

16. Regarding to paragraph 5 of the list of issues, the State party has undertaken the following measures have been taken to regulate the impact of the operations and activities of business enterprises on the rights of the child. In the Mainland, the State party has adopted the Law of the Child Act (Child Employment) Regulations in 2012, which facilitate the enforcement of the Law of the Child Act (2009) on protecting children from hazardous work, including setting the minimum standards for the protection of children who are engaged in employment.[9] In addition, the Mainland's MOLE, in collaboration with other stakeholders (particularly the Winrock International and World Trade Organization), has conducted training on the elimination of child labour and laws regulating the protection of children from child labour in the most affected areas.

17. For Zanzibar, the Ministry of Labour, in collaboration with Ministry for Trade, Tourism and Market, has been working in regulating business enterprises, including

[9] As reported in its combined third to fifth periodic reports, whereas the State party's child law and employment law in the Mainland pegs the minimum age of employment for children at 14 years; in Zanzibar the minimum age is 15 years.

regulations issued by the Zanzibar Investment and Promotion Authority (ZIPA) whereas investors have to abide by investment regulations. Labour inspectors have also been inspecting daily business undertakings to see whether children's rights are violated and in which circumstances.

F. Information on the amendment of the Law of Marriage Act

18. With regard to paragraph 6 of the list of issues, the State party has yet to review the Law of Marriage Act (1971) as amended in 2002 as it is waiting the completion of the new Constitution of the United Republic of Tanzania (which is in its final stage before approval).[10] The Law reforms will be done immediately after the enactment of the new constitution. In addition, the State party's legal system requires that where conflicts arise between formal legal provisions and customary law, the formal provisions prevail.

19. The State party has been taking several measures in raising awareness of the negative consequences of child marriages, including:

(a) In 2014 the State party adopted the "*Say No to Early Marriage*" campaign, which is a national initiative whose focus is to scale up collaborative efforts to end child marriage in Tanzania. This campaign is in line with the African Union's campaign launched in May 2014. In Tanzania the campaign is piloted in Tarime District, Mara Region;

(b) In Zanzibar, the State party is in the process of reviewing the Marriage (Solemnisation and Registration) Decree,[11] to impose an obligation on couples to enter into marriage contracts/agreements outlining duties during marriage and in the event of its dissolution. Zanzibar is also reviewing the Succession Decree,[12] a colonial piece of legislation which is outdated, to ensure that succession procedures to be followed by courts of laws are clearly set out and properly adhered to. The objective is to develop rules of procedure that smoothen succession proceedings in courts;

(c) Media campaigns and preparation of special publications which advocate for the need to eliminate child marriages and empowering the girl child to speak; and the establishment of Children and Gender Desks in 417 Police Stations in Tanzania Mainland and Zanzibar. These desks allow private conversation between police officers (who are trained on child rights) and children whose parents force them to get married.

G. Measures to eliminate discrimination and social stigma against pregnant girls and teenage mothers

20. The State party has undertaken several measures to raise awareness of the negative consequences of child marriages and to eliminate discrimination and social stigma against pregnant girls and teenage mothers, children with disabilities, children with HIV/AIDS and

[10] The "Proposed" Constitution, which was adopted the Constituent Assembly on 2 October 2014, has taken into consideration matters relating to the preservation of dignity of both men and women in all settings, including in matrimonial relations. In particular, article 53(3) defines a child as any person under eighteen years of age in line with the Convention, which means that after the Proposed Constitution is adopted at a referendum to be held later, the Law of Marriage will have be aligned with this provision in respect of minimum age of marriage.

[11] Cap. 92 of the Laws of Zanzibar.

[12] Cap. 21 of the Laws of Zanzibar.

street children in the Mainland (para. 7 of the list of issues), in addition to the two child laws. These measures include:

(a) The preparation of a draft policy on reinstating pregnant school girls back to school in the Mainland;

(b) Through the Tanzania Social Action Fund (TASAF), the State party has been capacitating families in income generation activities (IGAs) the research has shown that child focused cash transfers reduce by half the risk of incidence and prevalence of transactional sex for teenage girls (The Lacent Global Health, December 2013. 1:e362-70);

(c) The launch of the campaign "Child Marriage- Free Zone has helped to create awareness to those tribes who regard a girl child as a source of wealth and hence deprive her of the right to education;

(d) The adoption of the Parenting Education Manual, which aim at the elimination of child marriages by educating families to take responsibility for developing a girl child instead of withdrawing them from school for marriage.

(e) Media campaign and publications to stop child marriages and empower the girl child to speak;

(f) Establishment of 417 Gender and Children Desks at Police Stations at the Regional and District levels;

(g) Establishment of one stop centre at Amana Hospital and Ha[illegible],

(h) Action plan for Police Gender and Children's Desks 2013–2016 for strengthening the Police response to GBV and child abuse. Six pilot Regions will be strengthened, ;

(i) A total of 1,267 Police Officers trained to respond to children matters;

(j) Rapid Assessment Report for Street Children launched in 2012; Dar es-Salaam region taken as a pilot area;

(k) Establishment of the Joint Street Project in Dar es-Salaam Region as an emergency short and long-term care support to street children formedical, education and social welfare needs. The project was implemented by the Kiwohede, Dogo dogo Centre and the Makini Organisation;

(l) Identification and Intervention of Children with Disabilities Guidelines (draft);

(m) Establishmen' of the "Pamoja Tuwalee Program" which supports and provides basic needs for children living or affected with HIV/AIDS;

(n) PF3 reviewed to integrate the particulars of the victim.

21. In respect of Zanzibar, the State party has enacted the HIV/AIDS (Prevention and Management) Act in 2013,[13] which, inter alia, addresses the issue of discrimination, social stigma, education, persons with disabilities and those affected with HIV/AIDS.[14] The issues of children living or affected with HIV/AIDS, persons with disabilities including children and women and protection of children have been addressed. Furthermore, the Act guarantees these groups of people in terms of access to health-care services, discrimination in the education institutions and general prohibition of discrimination. In addition, the

[13] Act No. 18 of 2013.

[14] Ibid, Sections 32, 33 and 34.

Ministry of Education and Vocational Training (MoEVT) has established an inclusive education system where every district has at least one school which has an inclusion programme. Here children with disabilities get the opportunity to learn and interact with other children without being discriminated. In addition, the establishment of six One Stop Centers at Chakechake, Wete, Mnazi Mmoja, Makunduchi, Kivunge and Micheweni serves as a safety valve for children victims of discrimination and social stigma.

H. Measures to stop violations of the right to life, survival and development of children with albinism

22. Regarding paragraph 8 of the list of issues, the State party has put in place several measures to stop gross violations of the right to life, survival and development of children with albinism (CWAs), including the adoption of the National Human Rights Action Plan (2013–2017) through the Ministry of Constitutional and Legal Affairs, which addresses, inter alia, issues of the rights of CWAs. Other measures include:

(a) A manual on early identification of children with disability is in the final stage of preparation;

(b) Undertaking efforts to identify people with disability by age, Gender and location through National Population and Housing Census of the year 2012;

(c) In collaboration with CSOs, adoption of a strategy to raise awareness of the most affected regions;

(d) Annual crime report 2012 reported on the number of crimes against people with disabilities;

(e) Three incidents of CWAs reported at Police Station in the year 2012 to 2014. All cases are under investigation stage;

(f) Speed up investigation and prosecution of PWA related cases, i.e., High Court Sessions conducted in Kahama and Shinyanga Regions in 2013–2014 specifically on people with albinism (PWA) cases;

(g) CHRAGG has undertaken to follow up on the living conditions of CWAs; and

(h) The Ministry of Constitutional and Legal Affairs has raised public awareness on prevention and protection of PWA through radio, television, etc.

I. Measures to improve birth registration coverage

23. In respect of paragraph 9 of the list of issues, the State party has carried out the following concrete measures to improve birth registration coverage, including allocation of implementation funds for the Under-Five Registration Strategy (U5BRS) and the 6–18. The Government has been pursuing a transformative agenda which includes business engineering to enhance coverage and access for birth and registration through the U5BRS. RITA is implementing a programme in the community to increase, expand or achieve universal coverage in the regions, and expected to scale up next in two regions. One of the government strategies is to integrate vital registration system with system of vital statistics. RITA in collaboration with other governmental agencies launched a national comprehensive assessment with the view of implementing coordinated changes on an integrated vital registration system. Other initiatives include:

(a) In July 2013 Government initiated registration for all children under the age of five where the birth certificates were provided free of charge within two Pilot Regions;

(b) A total number of 161,051 children were registered;

(c) TShs. 800m/- were allocated for the under-five birth registration;

(d) 6–18 birth registration has been conducted in one Region pilot area in primary and secondary schools; and

(e) A total of 8,540 children have been registered 2013/1014 in Mbeya and Dar es-Salaam where the U5 registration strategy was tested.

24. Besides, the State party has taken concrete measures, including those of legal nature, to address "some of the institutional and systemic challenges that inhibit progress and coverage of birth registration", in particular, a Memorandum of Understanding (MoU) between LGAs, MoHSW and MOCLA to work together to enhance the registration process.

J Measures to eliminate corporal punishment

25. With reference to paragraph 10 of the list of issues, the State party has undertaken measures to review the Education Act (applicable in Tanzania Mainland) to remove corporal punishment in order to introduce alternative disciplinary actions as is the case in Zanzibar. The Central Government has made statements to end corporal punishment such as that given in 2011 by the Minister of Education and Vocational Training during the launch of the Study on Violence against Children in both primary and secondary schools. The Ministry of Community Development, Gender and Children has developed the guidelines on child protection in school environment but also participated in the process of reviewing the Teacher's Code of Conduct of 1963 under the Ministry of Education and Vocational Training. The Ministry has conducted consultative workshops which brought in board CSOs working in the field of children's rights and welfare.

26. Although corporal punishment is still a challenge to some of the schools in Tanzania, some schools have started to practice discipline without caning. The law reform in respect of the regulations which allow corporal punishment under the administration of the head teacher will be done later after a new Constitution for Tanzania is adopted, which will result in either the amendment or repeal of the Education Act (1978).[15] Furthermore, the New Education and Training Policy of 2014 contains a statement on protection of children from harassment and abuse in school. Therefore, we expect to amend the Education Act to put mechanisms which will enforce the Policy statement specifically to include a provision of alternative punishment as students' disciplinary measures. This is expected to be completed by June 2015. In addition, the Tanzania Police Force (TPF) has developed two sets of Standard Operating Procedures (SOPs): the first one strives to protect victims of violence in police stations; and the second set of SOPs seeks to protect juvenile offenders while in police custody. The Ministry of Community Development, Gender and Children has developed Parenting Education toolkit for training parents and Community member on preventing Child abuse at family level. It has established VAC Communication Materials which will assist to inform pupils and students on how to protect themselves from violence.

[15] The 2nd Draft Constitution has proposed that all laws will be amended by end of 2018 to align them with the envisaged new Constitution.

K. Measures to prevent and eliminate violence against children

27. In respect of paragraph 11 of the list of issues, the State party has undertaken several concrete measures to combat sexual violence, harassment, sexual exploitation of girls in the State party and to change attitudes that condone such violence. In particular, it has undertaken the following measures in respect of Tanzania Mainland:

(a) Strengthening the health system by advocating for the provision of health services immediately post violence at middle and lower level;

(b) Capacity building to health managers in 25 region and 335 in Tanzania Mainland districts was facilitated to enable them to provide health services immediately in post violence matters. In Zanzibar 10 health staff have been trained for the same purpose;

(c) Capacity building and skill training to health-care providers for the provision of comprehensive care to victims of violence including post rape care was carried out at least in every health facility because the United Republic of Tanzania has trained one health staff in each district in five regions and 10 districts to ensure availability of the services;

(d) The establishment of One Stop Centers which serve as a one point reference facility for all required services to the child abuse victims in two municipal of the Mainland namely in Ilala District in Dar es-Salaam (at Amana Hospital), and at the Hai District Hospital in Kilimanjaro Region. In Zanzibar there are six One Stop Centers, with each of the 5 regions having one such centre and one of them having two centres. Currently, VAC cases are highly reported due to the availability of such services but there are some challenges facing those facilities, for example, adequate stationeries, furniture and office equipment;

(e) Provision of essential equipment and supplies for management of victims of sexual violence;

(f) Tanzania Teachers' Code of Conduct and Professional Ethics of 1963 has been reviewed to include specific measures on promotion of child rights and promote zero-tolerance for violence against children in schools;

(g) A Child Protection Guideline in school setting for Primary and Secondary Schools is under development to be completed by December 2014. Its main objective is to promote safe learning environment by ensuring that schools play an active role in preventing and responding to all forms of child abuse, neglect and violence;

(h) The MOEVT has adopted the policy which allows the pregnant girls to continue with school after delivering; this policy came into operational this year 2014. There are have been government initiatives on preventing girls from early pregnancy like reproductive health education in school, employing of school counsellors to support the adolescent girls to understand clearly the issues associated with behaviour and biological changes in their body;

(i) Point to note; though point a and b above have been implemented seriously by the government there have been some challenges like the application of the outdated Police form three which is not detailed.

28. In addition, the State party has undertaken a number of measures to ensure that girls victim of domestic violence in the Mainland have less obstacles in obtaining a report from the police before being admitted in the hospital, including:

(a) There is no requirement for girls of domestic violence to obtain a report from the police before being admitted to the hospital; and

(b) Children victims of domestic violence are advised to seek medical care and treatment first and then quickly consult the police later. As per the National Policy Guidelines for the Health Sector Prevention and Response to Gender Based Violence 2011 it's important to save lives first i.e. in acute conditions like bleeding and rape survivors that need to obtain post exposure prophylaxis within 72 hours provided emergency contraceptive to prevent unexpected pregnancy within 120 hours from the assault. It is important that all of these steps be taken within the limited time as shown above; thus victims were advised to report first to the health facilities then to the Police.

29. In respect of Zanzibar, the State party has undertaken a number of policy, legislative and administrative measures, as follows:

(a) In the implementation of National Plan of Action to prevent and respond to Violence Against Children, 15 sectors including Government Ministries (6). Government Departments (7) and CSO (2) formed a Multisectoral Task Force to monitor the NAP on VAC through quarterly meetings and report sharing whereby the resolutions and recommendations are set and used to improve its implementation;

(b) Communication Materials have been developed for the aim of disseminating various VAC messages to different audiences like pupils, teachers, parents, community etc. For understanding types and behaviour of perpetuators of child abuse, posters, brochures, wall charts, TV and radio programmes have been developed and widely communicated to assist in delivering of the said messages;

(c) The State party has carried out a training of trainers (TOTs) course on Parenting Education Training Manual to extension workers who deal with children. The training is expecting to cover all professionals working on children's issues at community level in all districts within the mainland and up to July 2014, 90 professionals have been trained, including teachers, social welfare providers, police officers, and prosecutors and CSO members;

(d) The State party in Zanzibar has established parenting groups at the grassroots level (*Shehia*) and now they are strengthened to provide child care to parents and children. The aim of establishing these groups is to make parents to take their role and responsibility as parent by imparting them with parenting skills; and

(e) The State party has also developed a Roadmap (2014–2016) on Violence Against Children and Gender Based Violence for raising awareness and campaign against violence on children. It outlines the list of activities to be carried out during the lifespan of the roadmap; some of these activities include development of TV soaps and radio dramas.

30. In addition, the State party in Zanzibar has taken various measures to combat sexual violence, harassment and sexual exploitation of girls, including supporting the Department of Social Welfare in collaboration with Save the Children to establish a One-Stop Centre in each of the six Districts (i.e. Mjini, Micheweni, Wete, Chakechake, Kusini Unguja and Kaskazini "A" Unguja). At the One-stop Centers children victims of violence and abuse do not require any report from police before being admitted. Moreover, the State party has established National GBV Committee, parenting groups, *Polisi Jamii* (i.e. Community Policing) and a VAC Communication Strategy to address the issues of violence against children. Furthermore, the State party wishes to make it very clear that in Zanzibar there is no compulsory testing of pregnancy to girls of any age.

31. Similarly, the New Education and Training Policy of 2014 (applicable in the Mainland) has incorporated a statement that allow pregnant students to continue with education after delivery or enter in other alternative education opportunities such as complementary basic education (COBET) and non-formal education and vocational

training programmes. The provision above impliedly does not allow forced and mandatory pregnancy testing at school.

32. In reference to paragraph 12 of the list of issues, the State party has undertaken efforts to end the heightened risk of physical and sexual violence at school and on school grounds and on the way to and from school both on the Mainland and in Zanzibar. In the Mainland there are efforts to harmonize the legal and policy framework to make sure that there will be clear code of ethics and professional conduct user friendly to teachers and other school members. The Public Service Regulations (2003) provides, in the Third Schedule, for the adoption of a code of ethics and conduct in the public service. These regulations also regulate the conduct of teachers. Paragraph 6 of this Schedule provides to the effect that any public servant should refrain from having sexual relationships at the work place. A public servant needs to avoid all types of conduct which may constitute sexual harassment. Moreover, a public servant should respect all human rights and be courteous. A public servant who contravenes shall be subject to dismissal and brought before courts of law for criminal charges. The procedures to dismiss a public servant are provided under section 23 of the Public Service Act.[16] The State party is also in the process of preparing the Teachers Registration Act under which there are specific schedules with regards to the Teachers' Code of Ethics and Professional Conduct; during the reporting period the progress on the mentioned registration was at the government structures for further comments before being approved.

33. In respect of addressing issues relating to physical and sexual violence at school and on the way to and from schools in Zanzibar, the State party has established a pilot programme on alternative discipline in 20 schools in Zanzibar's 10 districts (2 in each district). Through this initiative, the pilot schools have stopped administering corporal punishment to pupils; rather, misbehaving pupils are given other, alternative forms of discipline, including counselling, and extra studies/extra curriculum activities. The Police Force has also designated one police officer in 50 constituencies to assist in stopping child abuse. Furthermore, there is enhancement of the Community Police where community police have joined their efforts in combating violence against children; all these are part of the Government's commitment to curb the abuse of children's rights in schools, on the way to schools, and in the family.

L. Measures to eliminate female genital mutilation

34. In respect of paragraph 13 of the list of issues, the State party has taken several measures to eliminate female genital mutilation (FGM) and to target policies and campaigns to end its prevalence in rural areas. In particular, it has reviewed the Child Development Policy to include issues of early childhood care and development and FGM. The draft of the policy is now called the National Policy on Childhood Care and Development, which is at the validation and approval stages. Amongst the objective of the policy is to address the issues of violence against children, which include genital mutilation and there are strategies of curbing the problem.

35. There are also some measures taken to raise awareness in the issues regarding FGM these include implementation of the "*Stop Female Genital Mutilation*" campaign which has resulted in changing people's attitudes towards FGM. As a result of this campaign, some mutilators have laid down their tools and have joined the campaign of educating community members to stop the harmful practice. Due to this campaign FGM incidence has decreased from 18% in 2005 to 15% in 2010 (TDSH, 2010). A National Plan of Action for

[16] Act No. 8 of 2002.

the Elimination of Female Genital Mutilation (FGM) (2001–2015) has been developed. This Plan of Action is being implemented by different stakeholders including Ministries, independent Departments, Government Agencies, Civil Society Organizations, Faith Based Organizations and Communities. To date, the State party has, inter alia, undertaken the following measures:

(a) Sensitization of rights holders and duty bearers through the media and community meetings, this has included journalist trainings, teacher trainings and subsequent school events; meeting with traditional leaders;

(b) Capacity building has been provided to key duty bearers: This included Police Gender and Children's Desk training with specific modules on FGM; meeting with traditional leaders, engagement with policy makers to change attitude and to gain political commitment to ending FGM a priority;

(c) Provisions of safe places to girls to stay during cutting periods; this service have been provided by Sisters of Charity Masanga Centre in Tarime, Mara Region in December 2013; and

(d) Enhancement of law enforcement strategy which include enhancement of skills in evidence collection and introduction of child friendly interview skills for law enforcers. (source: UNFPA: fact sheet FGM/C June 2014)

36. Moreover, cases of FGM have successfully been processed in the criminal justice system. In Tarime District (Mara Region), where FGM is widely practised, 120 school teachers have been trained. In addition, 1,190 journalists from across the country have also been trained on reporting GBV including FGM. The State party has also been providing support to CSOs to refer victims of FGM to community police stations. The Ministry of Community Development, Gender and Children is mandated to coordinate FGM interventions and has organized a national forum to develop a regional action plan in line with the outcome areas of the Global Campaign to End Female Genital Mutilation

M. Measures to provide appropriate care and protection to children deprived of a family

37. The State party has put in place several measures that aim at providing appropriate care and protection to children deprived of a family (para. 14 of the list of issues). These measures include developing the National Costed Plan of Action for MVC II 2013–2017 (NCPA II). The goal of this plan is to establish an MVC response which is government led and community-driven, that constitutes a multisectoral response and commitment which facilitates MVC access, adequate care, support and protection and access to basic social services through increasingly mainstreamed and sustainable government lead systems. The plan has four strategic objectives which are to: strengthen the capacity of household and communities to protect care and support MVC; increase access to effective gender responsive child protection services within a well-resourced child protection system that has the best interest of the child at its core; improve access and utilization of primary health care and education including early childhood care and development services and strengthen the coordination and leadership, policy and service delivery environment.

38. In particular, NCPA II defines children living and working in the streets as among the most vulnerable children category in Tanzania and are attributed as the target group of the NCPA II plan. Moreover these children are better supported through the Child Protection System which has been scaled up to 17 District Councils of Tanzania mainland. The child protection team has 25 members from different sectors.

39. In addition, the State party has adopted a Guide on the Establishment and Implementation of Community Rehabilitation Programmes in 2012, which provides practice guidance to all institutions and persons involved in the establishment, supervision, monitoring, implementation and running of the Community Rehabilitation Programme. Besides, the State party has developed a Community Based Strategic Plan of 2013 for dealing with the problem of children living and working in the streets. It is this plan through which the State party has established a joint emergency short-term and long-term care and protection mechanism for children living and working on the streets and other vulnerable children. The emergency and long-term care solutions for children out of home care, with focus on improving the situation of urban street children and other vulnerable children in Dar es-Salaam. It is a joint project between the MOHSW and three NGOs (KIWOHEDE, Dogodogo and MAKINI,) with the aim to respond to the urgent need of the situation of children in the streets of Dar es-Salaam. The project targets the following categories of children:

(a) A child who is alone and at risk, lives, sleeps, works and eats on the streets without adult supervision and care;

(b) A child who is part- or fulltime on the street but goes "home" in the evenings

(c) A child who is begging with his/her parents or others on the streets;

(d) A child who has just arrived to the streets;

(e) A child who lives in poverty or is a victim of family breakdown and thus is at risk of migrating to the street; children living in the slums; and

(f) A child engaged in domestic work, brothels and other types of child labour.

40. The State party has also established a National Child helpline which is available across all telephone networks in the country through dialling 116. The call centre is now situated in Dar es-Salaam but all the people in the country access it.

41. Other initiatives include adoption of the regulations on foster care, children homes, adoption, retention homes, apprentices and child employment in 2014, Development of the guideline for Psychosocial Care and Support Services for Most Vulnerable Children and Youth in Tanzania in 2014.The main objective of this guideline is to promote the effective and comprehensive fulfilment of basic psychosocial needs and the realization of high quality of psychosocial outcomes for MVC and their families in Tanzania. Moreover, those measures to a great extent have ensured that MVC, such as street children and children in conflict with the law, are provided with appropriate care and protection.

42. The State party has also taken measures to deinstitutionalize children and to further develop placements with foster cares for children deprived of a family environment which include; adoption of the regulation for foster care placement and adoption in 2011 which guides the procedures of fostering children and adoption, review and development of the guideline for foster care and adoption, development of the regulation of children's homes and guidelines for the establishment and management of children's homes. All these measures aim to encourage children grow under the family environment.

43. In addition, CSOs in collaboration with the Department of Social Welfare is in the process of harmonizing the national children's home guidelines of 2006 to that of the United Nations Guidelines for the Alternative Care of Children adopted by the General Assembly in 2009. Also in February 2014 SOS Children's Villages Tanzania has launched the national "*Care for Me*" Campaign embedded with "quality care to every child". This Campaign is coordinated hand to hand by DSW. Through this Campaign, social welfare officers at all levels are encouraged to provide technical support including supervision of the institutions which provide alternative care but also to enforce the non-registered

institutional to be registered. The Ministries of Community Development, Gender and Children, and Constitutional Affairs and Justice are supporting this "*Care for Me*" Campaign on the implementation of the United Nations Guidelines on Alternative Care. During the reporting period the Campaign has reached over 2,000,000 Tanzanians through printed and electronic media like radio, TVs and Blog. Over 50 social welfare officers at ward and district levels have been taking part to educate the public on quality care to every child to especially those children without parental care. The above Guidelines have been translated into Swahili to make them more accessible and well understood by the stakeholders and government officials; specifically over 500 copies have been distributed to ward councillors, social welfare and community development officers.

44. Currently, the State party is widely consulting with all stakeholders on its endeavour to ratify the Hague Convention on Intercountry Adoption. Once the consultations are complete it will be in a position to state the consensus so far reached.

N. Measures to provide sexual and reproductive health to adolescents

45. In respect of paragraph 15 of the list of issues, the State party has undertaken a number of measures to combat sexual violence, harassment, sexual exploitation of girls in the State party and to change attitudes that condone such violence against children. In particular, the National Package of Essential Reproductive and Child Health Interventions (NPERCHI) and the Essential Health Package (EHP) have been developed to expand on the Reproductive Child Health programme planning, implementation and monitoring interventions surpassed by:

(a) Efforts to increase capacity of early detection and identification of children were born HIV positive;

(b) PMTCT Programme that increase the capacity for early detection and identification of children who are born HIV positive;

(c) Tanzania National Guidelines for Comprehensive Care Services for PMTCT and Keeping Mothers Alive (Option B+), (September 2013);

(d) The comprehensive PMTCT Guideline reviewed to include early infant diagnosis (EID) package to capacitate health care providers with the knowledge about the programme and EID services;

(e) Close follow up of the dry blood spot (DBS) kits to ensure constant availability of the same in all facilities;

(f) SMS printer machines have been supplied to some facilities to facilitate availability of the DBS results;

(g) EID package has been included in the ongoing refresher training of Long Life ARVs;

(h) Advocating for integration of RCH with CTC services to reduce loss to follow up of children who are in treatment. Awareness-raising materials for Elimination of Mother to Child Transmission of HIV (eMTCT) have been developed to encourage mothers to attend ANC clinics, increase facility delivery and male involvement in reproductive and child health; and

(i) Transportation of sample using EMS from facilities to the Laboratory to reduce turn-around time.

46. In addition, the State party has undertaken steps to ensure sexual and reproductive health education and services for adolescents, including family planning and safe abortion,

are accessible and adequate throughout the State party. In particular, it has adopted the following measures:

(a) Adopting the National Adolescent Reproductive Health Strategy of 2011–15;

(b) Continuing to implement the National Standards on Adolescent Friendly Health Services that started since 2003;

(c) Conducting strategic surveys on emerging and critical issues — i.e. the HIV/AIDS and Malaria Indicator Survey 2011–12 report,[17] and the 2012 Population and Housing Census;[18]

(d) Adopting the National Policy Guideline for the Health Sector Prevention and Response to Gender Based Violence (2011 and reprinted in June 2013);

(e) Adopting the National Management Guidelines for the Health Sector Prevention and Response to Gender Based Violence (September 2011, reprinted in June 2013); and

(f) Adopting the Health Sector Strategic Plan III of 2009–2015 and the National Guidelines for Integration of One Stop Centers for GBV and VAC Prevention and Response Services in Health Facilities (August 2013) These plans are geared to providing services to the victims of violence and child abuse at the school and family levels. Currently we have 4 one stop centres with the aim of scaling up to more regions.

47. Furthermore, the MOEVT has integrated all HIV/AIDS issues in the syllabus from primary to ordinary secondary school. Through the MoHSW, the State party has initiated the "*Green Star Campaign*", which has created the culture of family planning in the societies. Supply chain of family planning service has been enhanced from National to district level (we have to quantify this statement)

48. In respect of Zanzibar, the State party has developed a New-born and Child Health Communication Strategic Plan (2014–2018), which addresses issues of new-born deaths and methods of dealing with teenage pregnancies and delivery services. Besides, the State party has developed the National Life Skills Education Framework for Zanzibar 2010 that aims at imparting skills on youth on reproductive health and HIV as well as improving life skills on education for relevant stakeholders. There is also the establishment of centres for excellence whereas youth friendly services including HIV testing, drug abuse and pregnancies are addressed. The Government has enacted HIV/AIDS Act 2013 for addressing the issues of children with HIV or born with HIV and possible detection.

O. Making education a guaranteed right under the "Proposed" Constitution

49. In respect of paragraph 16 of the list of issues, the State party states that the constitution-making process, which started in 2011 after the enactment of the Constitutional Review Act,[19] is now at the final stage. On 4 October 2014 the Constituent Assembly (CA)

[17] Government of the United Republic of Tanzania, Tanzania HIV/AIDS and Malaria Indicator Survey 2011-12 (Dar es Salaam: Tanzania Commission for AIDS (TACAIDS), Zanzibar AIDS Commission (ZAC), National Bureau of Statistics (NBS), and Office of the Chief Government Statistician (Zanzibar)/Calverton, Maryland (USA): ICF International, 2013).

[18] Government of the United Republic of Tanzania, Basic Demographic and Socio-Economic Profile (Dar es Salaam: National Bureau of Statistics/Zanzibar: Office of the Chief Government Statistician, April 2014).

[19] Cap. 83 of 2013.

adopted the "Proposed" Constitution, which shall later be subjected to a referendum where Tanzanians will vote in support or in opposition of the "Proposed" Constitution. As of now, the "Proposed" Constitution has guaranteed the right to education for "every" person (including a child) in article 49; and, specifically for children, in article 50(1)(c).[20]

P. Measures to ensure education is free and accessible to all children

50. The State party has adopted the new Education and Training Policy in 2014, which provides for free basic education. As regard to this policy all children from 5–6 are eligible for pre-school education and must register freely and thereafter for primary education also for free. It has abolished all forms of fees and other costs which were incurred by parents without their consent. The Ministry is expecting to issue a circular that will clarify the extent to which a parent can be allowed to contribute to his child's education.

Q. Measures to protect the rights of children with disabilities

51. In order to eliminate and prevent stigma, discrimination, violence and exclusion of children with disabilities particularly in rural areas (as requested by the Committee in paragraph 17), the State party has undertaken several measures. In particular, it has been undertaking public awareness-raising campaigns, specifically through various international and national events and festivals, including the *Disability Day* (celebrated on the 3rd day of December of each year), the *White Cane Day* (celebrated on the 15th day of October of each year), the *World Braille Day* (celebrated on the 5th day of January of each year) and the Albino Day (marked annually on 4th May). These events, which are normally conducted at the national and regional levels, carry different themes that raise awareness on the part of members of the community on different issues relating to disabilities and persons with disabilities. To some extent, these events help in reducing stigma and discrimination against children with disabilities.

52. In order to ensure that the quality of education is effectively increased, the State party has made various efforts, including:

(a) Recruitment and retention of 37,698 teachers;

(b) Improvement of books-pupil ratio for primary school pupils from 1:5 in 2012 to 1:4 in 2013;

(c) Providing and improving teachers' incentives — including building of 212 teachers' houses for year 2012/13 in 132 LGAs;

(d) Construction of 275 laboratories among which 131 have been completed in 132 Local government Authorities and ensuring that each District Council and every secondary school has a library;

(e) Introduction of assessment of reading, writing and arithmetic (3Rs) which is a prerequisite for further classes. This aims at transforming children from pre-primary to primary level one and two. It is expected that through the assessment at the lower level it will help to improve reading, writing and arithmetic. It is done in lower primary classes to measure learning outcome. The outcome of the assessment has enabled the State party to develop and institute different interventions on early learning outcomes on 3Rs such as curriculum framework, teacher- competency framework and assessment frameworks; and

[20] The Bill of Rights in the Proposed Constitution, which is more progressive than it is in the 1977 Constitution, is set out in articles 31-56.

(f) Strengthening pre-service and in-service teachers' training whereby 2052 teachers were trained.

53. In addition, the State party has taken several measures to ensure access to education for children with disabilities, including the adoption of the New Education and Training Policy in 2014. This Policy has a specific statement indicating the State party's commitment to increase access to education, facilities and infrastructure to children with "special needs", including children with disabilities. Furthermore, the State party has developed an Inclusive Education Strategy (IE) 2012–2017, whose overall goal is to ensure that all children, youths and adults in Tanzania have equitable access to quality education in inclusive settings. Moreover, the IE Strategy strives to achieve the following goals:

(a) Education policies and programmes are informed by inclusive values and practices;

(b) Teaching and learning respond to the diverse needs of learners;

(c) Educational support is available to all learners;

(d) Professional capabilities for inclusive education are widened and strengthened; and

(e) Community ownership of and participation in inclusive education is enhanced

54. Furthermore, the State party has established the Educational Support and Resource Centre (ESRAC) in Dar es-Salaam and five (5) Districts Councils have identified spaces to establish the ESRAC for the purpose of detection and identification of children with special needs, including those with disabilities. Besides, the State party has developed Guidelines on Early Identification and Interventions for Children with Special Needs of 2013, whose objectives include:

(a) The first objective is early intervention;

(b) Capacity building of teachers of pupils with special needs; and

(c) Material support to enable these students to learn smoothly.

55. With regard to allocation of funds to implement the existing legal and policy frameworks regarding children with disabilities, there is no specific fund allocated to CWDs, but the State party normally allocates funds to all MVC in the country. For the year 2011/2012, there was TShs 968,599,500; in 2012/2013 there was TShs 709,746,000; and 2013/2014 there was TShs 750,739,920 allocated to support the three objectives mentioned above for students with disabilities. It should be noted that the State party has identified 14 categories of MVCs, which include children with disabilities.[21] Notably, children qualify to

[21] The identified categories are as follows:
(a) Children living in the household with the chronically sick caregiver;
(b) Children with disabilities;
(c) Children living with chronic illness;
(d) Children living in child-headed households;
(e) Children living and working in the streets;
(f) Children assessed to be at risk of, or suffering, from violence, abuse and neglect;
(g) Children assessed to be at risk of, or in conflict or in contact with, the law;
(h) Children living in institution care;
(i) Children born in prisons or accompanying their mothers in prison/remand;
(j) Children involved in worst forms of child labour;
(k) Children living in extreme poverty;

be the most vulnerable if they are living in a household with unmet needs in terms of adequate education, health care, food/nutrition, shelter, HIV/AIDS services, ECD services, emotional and physical protection. Therefore, funds are distributed and allocated to all most vulnerable children, although the services are provided depending on the individual child's needs. The Community Development Officer in charge of TASAF projects is coordinating the exercise of identifying children eligible for support according to the type of disability.

56. In its efforts to effectively and meaningfully invest in education, the State party has been conducting vocational training and life skills mentoring to children who are transitioning to youths. These efforts have been given a great impetus by the State party's adoption of the *Big Results Now* (BRN) initiative that strives, inter alia, to enhance various programmes which help to improve the quality of basic education (pre-primary, primary and ordinary secondary education). Specifically, the initiatives have to do with the following measures:

(a) Strengthening the quality of teaching and learning in classrooms by building the capacity of teachers and providing support to struggling students (slow learners/ under achievers);

(b) Improving school infrastructure by constructing basic school facilities, e.g. construction of laboratories, classrooms, toilets, staff houses, water reservoir and provision of power;

(c) Enhancing school management through training of heads of schools; and

(d) Providing incentives to teachers and students to increase morale, and hence better their performance.

57. There are several achievements in respect of the foregoing measures undertaken by the State party, including:

(a) Revising the trend of performance of national examination results from PLSE (2012) 31% to (2013) 51% and Ordinary Secondary Certificate Education (2012) 43% to (2013) 58%;

(b) Training of secondary school teachers; 4,064 for first year of the initiatives on how to identify underperforming students and carry out enrichment classes;

(c) Conducting 3Rs assessment in reading, writing and arithmetic skills for pupils in November 2013 to establish a baseline. Henceforth MoEVT was able to prepare 3Rs teacher competence framework, student competence framework, assessment framework and preparation of modules of teaching 3Rs;

(d) Ranking schools into various bands to help channel the resources where they are needed most; and

(e) Construction of basic facilities in 131 secondary schools.

R. Measures to prevent and combat child labour

58. In light of paragraph 18 of the list of issues, the State party has undertaken several administrative measures to prevent and combat child labour in the Mainland, in addition to the implementation of the existing legislation and policies. In particular, in 2012 the Law of

(l) Children whose sole caregiver has a disability, which severely hinders the provision of care, support and protection; and

(m) Children who are orphans.

the Child (Child Employment) Regulations were gazetted to provide guidance on effective implementation of the Law of the Child Act (2009) with a view to, inter alia, preventing child labour. Administratively, the State party has adopted the National Action Plan for the Elimination of Child Labour (2009–2015). This Plan strives to scale up the prevention of, and it provides responses to, the worst forms of child labour in the country.

59. In this context, the worst forms of child labour constitute exploitation and gross violation of human rights for boys and girls, with detrimental physical, emotional and mental consequences to the child. The overall objective of the Plan, in the short term, is to reduce the prevalence and incidence of child labour and the worst forms of child labour at the household and community levels and in all sectors of the national economy, both in rural and urban areas , and in the longer term, to put in place the requisite economic, social, policy and institutional foundations for the elimination of ail forms of child labour. In the Mainland DCD consults with TASAF$_3$ Programmes, since it aims at reducing poverty at the household level by cash transfers to reduce child labour, as it is well known that child labour is due to poverty.

60. In addition, the State party has carried out prevention and protection activities regarding children in the Mainland, which are particularly carried out by labour inspectors in the context of the National Plan of Action for the Elimination of Child Labour (2009–2015) in ensuring is well understood and implemented by stakeholders. Labour inspectors play a great role in ensuring that provisions of the labour Laws on prohibition of child labour are complied with. This has been done through:

(a) Public awareness-raising to local government officers, religious leaders, politicians and other stakeholders in the district level. In this, the Ministry has managed to reach 35 districts where in each district averages of 25 participants attended. In the said districts the total of 925 participants were made aware on issues of child labour their roles in National Action Plan; and

(b) The establishment of a national advisory committee on anti-trafficking in the context of the Anti-Trafficking in Persons Act (2008), which brings together relevant actors from Zanzibar and the Mainland. This enabled the implementation of objective No. 6 which concerns child trafficking. In the wards we have the committees responsible for monitoring issues of children including VAC and child trafficking. These committees are trained by IOM and police to understand issues of trafficking and the steps needed to be taken by different stakeholders, including the families, on how to eliminate the problem one step being to capacitate families economically.

61. Furthermore, the State party has carried out several concrete measures to urgently remove children who work in small-scale gold and gem mining in the Mainland, both licensed and unlicensed, at risk of their lives. Ministry of Labour and Employment in collaboration with different stakeholders coordinate and facilitate the awareness creation to small –scale miners. For example, in Geita Region (home to a number of leading, large gold mining companies), the MOLE has entered into MoU with Plan International to assist in raising public awareness on effects of child labour in mining and related activities. In addition, the MOLE, in collaboration with Small –Scale Miners Association, has published and widely disseminated posters in small scale mining fields which provide the information on effects of child labour and the legal prohibitions about it. In effect, this campaign has resulted in some of villages in the Geita Region adopting By-Laws, which prohibit child employment in mines and agricultural activities.

62. Similarly, the State party has taken steps to decrease the overreliance on CSOs and donor funding for protecting children from child labour in the Mainland, in particular hazardous forms of child labour. Through awareness creations on National Action Plan for elimination of child labour, Ministry of Labour and Employment pursued Municipal

council to integrate of child labour issues into Municipal plans and Budgets aiming at enabling the sustainability of campaigns against child labour. For example in Urambo District every financial year they allocate three Million to fund the child labour issues.

63. In respect of Zanzibar, the State party has effectively continued to implement the National Plan of Action for the Elimination of Child Labour (2009–2015. In addition, a Multisectoral Technical Working Group for Child Labour and a Child Labour Steering Committee have been established and strengthened. This aspect is one of the Government's efforts to address the issue of child labour in Zanzibar. In Zanzibar through Save the Children Organization, IGG (income generating groups) have been developed and implemented with the same objectives.

64. Similarly, the Child Labour Programme 2012–14, which aims at removing 5,000 children from child labour, has been introduced through which currently more than 3,620 children have been removed from child labour. These children are given an opportunity to attend school and their families have been supported in order to help them with alleviating poverty, which is one of the main causes tempting children to be involved in child labour activities. Moreover, the State party has adopted specific Regulations on hazardous work by children with the aim of protecting children against the worst forms of child labour. This set of Regulations is among the sets of the Regulations developed and adopted by the Zanzibar Ministry of Labour as required by the Employment Act (2005) in order to regulate and prohibit the involvement of children in hazardous work and worst forms of child labour. Besides, the State party has completed the process of reviewing the Zanzibar Children Policy of 2001 and it is currently waiting to be tabled before the Permanent Secretaries' Committees for validation and approval. The review aimed at, inter alia, incorporating issues that have to be address, including the inclusion of the issues, among others, early child hood development and children in conflict with law.

S. Measures to prevent and combat sale, trafficking and commercial sexual exploitation of children

65. In reference to paragraph 19 of the list of issues, the State party has developed Regulations for the implementation of the Anti-trafficking in Persons Act (2008), which are now at the final stages of *gazetting*, which will strengthen the operationalisation of the Act. Besides, the State party has carried out several measures to combat the sale, trafficking and commercial sexual exploitation of children, in particular to combat internal trafficking. As such, the State party, in collaboration with the International Organization for Migration (IOM), has conducted special trainings to Police Officers on how to identify and detect perpetrators and victims of human trafficking within the country, whereby 40 Police Officers have been trained in between 2013 and 2014. In 2013, the Tanzania Police Force established the Community Police Unit which, among other things, deals with raising awareness to the community on the issues relating to, inter alia, anti-trafficking.

66. In addition, the State party has ensured that resources for the protection and support services for children within the National Anti-Trafficking in Persons Action Plan 2013–2017 have been allocated.

T. Measures to reform the juvenile justice system

67. In reference to paragraph 20 of the list of issues, in 2013 the State party undertook the reform of the juvenile justice system, in particular by adopting a five-year Strategy for Progressive child justice reform (2013–2017) on the Mainland. Through this strategy, the State party has undertaken a number of programmes, including:

(a) Developing a Guide on the Establishment and Implementation of Community Rehabilitation Programmes in 2013. This programme provides support to young offenders and children at risk of offending while they remain in their community where they receive a number of rehabilitative services. Notably, this is a diversion and alternative sentencing measure to children. The Guide provides practice guidance to all persons and institutions involved in the establishment, supervision, implementation, monitoring and running of the Community Rehabilitation Programme;

(b) Piloting a programme on Diversion and Community Rehabilitation and Reintegration Scheme for children in conflict with the law and children at risk of offending in the Temeke Municipal Council (Dar es-Salaam Region). The programme became operational in July 2012 and it will run through to June 2015. So far, 120 children have benefited from this programme. The State party is taking initiatives striving to replicate the Community Rehabilitation Programme in other region in the Mainland and Zanzibar. In 2014 the programme will be rolled out on to the Mbeya Region (Mainland) and in the Urban and West Regions (Zanzibar); and

(c) Piloting the legal aid programme for children in conflict with the law in the Dar es Salaam Region from 2012 to 2015. Since it become operational in 2012, the programme has provided legal assistance to more than 647 children and facilitated the release of 471 children from detention facilities. The State party is currently in the process of replicating this programme in the Mbeya Region. Further plans are being made to replicate it in other regions. In addition, the State party has finalised drafting a Legal Aid Bill, which will, inter alia, guarantee the right to legal assistance for children in Tanzania.

68. The State party has undertaken other concrete measures to reform the juvenile justice system, including:

(a) The Ministry for Constitutional and Legal Affairs (MoCLA), in 2014 coordinated the production of a one-year report on the implementation of the five-year Strategy for Progressive Child Justice Reform (2013–2017). This Report, the first ever, details progress made by all actors in the implementation of the strategy. It also details challenges encountered and how to avoid duplication of efforts;

(b) Specific department to deal with legal aid policy issues under MoCLA established;

(c) Legal Aid Secretariat under MOCLA in the context of the Legal Sector Reform Programme to administer legal aid and coordinate legal aid providers in the Mainland established;

(d) Legal Aid Bills awaits the adoption of a new Constitution for it to be tabled in Parliament for enactment drafted. The Bill provides an opportunity to ensure that children in conflict with the law receive legal assistance from the arrest up to conclusion of the cases;

(e) Legal Services Facility (LSF), which provides financial and technical assistance to legal aid providers, particularly paralegals, in order to provide legal assistance to children and other vulnerable groups at different levels (i.e. from the grassroots to the regional levels) established in the Mainland;

(f) Directives with reference number JC/DPP/CPNF/23/7 for Law Enforcers to fast-track cases involving children issued by the Director of Public Prosecution. The directives aim at ensuring that cases involving children are handled timely, and reducing the time children spend in detention facilities;

(g) Nine resolutions, which address some of the challenges faced by children in conflict with the law in Tanzania as highlighted in the five year strategy were adopted by

the National Criminal Justice Forum. One of which being to monitor the promotion and protection of child justice-related matters in the country;[22]

(h) Through the Department of Social Welfare, the State party has developed the Human Resource for Health and Social Welfare Strategic Plan III 2014–2019. The Plan provides guidance to health and social welfare sectors in proper planning, development, management and effective utilization of human resources. The plan identifies six strategic objectives that form the focus of achievement in the next five years, that is:

(i) Strengthening the Human Resources for Health and Social Welfare (HRH & SW) policy development and planning at all levels;

(ii) Strengthening HRH & SW research and utilization at all levels;

(iii) Promoting leadership and advocacy for HRH & SW at all levels;

(iv) Strengthening HRH & SW recruitment, retention, career development and utilization at all levels;

(v) Increasing and standardizing production and quality of HRH & SW and strengthening and/or promoting partnerships; and

(vi) Coordinating HRH & SW interventions among stakeholders at all levels;

(i) The Commission for Human Rights and Good Governance in collaboration with inspection mandated bodies has developed standardized monitoring tools to monitor Juvenile detention facilities; and

(j) Through the Office of Prime Minister, the State party has issued a specific circular directing all local government authorities (LGAs) in the Mainland to employ more social welfare officers at the LGA level in order to, inter alia, oversee the implementation of the Law of the Child Act (2009) at the LGA level.

69. In respect of Zanzibar, the State party through the Revolutionary Government of Zanzibar, in collaboration with UNICEF and Save the Children, has committed to undertake a comprehensive national programme for child justice reform. Under the auspices of the Ministry of Empowerment, Social Welfare, Youth, Women and Children (MESWYWC) a five-year child justice reform strategy has been developed. This strategy sets out the vision for the reform of the Zanzibar child justice system, articulating child justice reform as a thematic priority under the broader national legal sector reform programme. As such, it seeks to effectively operationalize the implementation of the Children's Act (2011).

70. In addition, the State party has established one Children's Court, which has already been designated and is operational in the Urban West Region in Unguja. The Court is currently determining cases from all regions in Unguja. However, the challenge is that one centralised court serving all regions in Unguja is not yet sufficient to serve all children in Zanzibar. In order to address this challenge, the Children's Courts are later to be progressively rolled out for the establishment of Children's Courts in every region in Unguja (which has three regions) and Pemba (which has two regions). Work is in progress for the renovation required for establishment of a Children's Court in Chakechake, Pemba. Moreover, in 2016 further renovation will be carried out for the renovation and equipment of a Children's Court in the Unguja North Region.

[22] In particular, the NCJF meeting was held on 30 and 31 May 2014, whereby one day was devoted to discuss child justice issues. Dr. Clement Mashamba, the third vice-chairperson of the African Committee of Experts on the Rights and Welfare of the Child and child justice scholar, was invited to share his expertise and experience with the members of the Forum.

71. In addition, Children's Court Rules are to be adopted soon and will deal with the case management of both criminal and civil cases before the Children's Court. Furthermore, the Guide to the Children's Court Rules (to be completed by October 2014) will provide further detailed guidelines on case management. In order to complement these legislative measures, the State party in Zanzibar has started to implement the Child Justice Reform Strategy 2013–2018 by developing Monitoring and Evaluation (M&E) Plan for Implementation of Child Justice Strategy. To date, targets and indicators in this regard have been identified; and M&E Tools are under development and will be finalized in 2014. Moreover, the State party carried out training on the use to the tools to be delivered in September 2014 to data focal points in all justice institutions which will include Persecutors, Courts and Police officers

72. Furthermore, the Zanzibar Director of Public Prosecution Manual is currently being reviewed in order to include issues of children and the manner of handling cases of child victims and witnesses. The Offenders' Education Act (1980)[23] is also being reviewed in order to align it with child justice, particularly to include and accommodate minimum standards set out in the Convention. Consultations and review workshops on the development of new legislation to repeal the existing Offenders' Education Act conducted. Currently, the State party has finalised working on an advanced draft of a Bill to repeal the Offenders' Education Act and bring national legislation into line with international minimum standards for the treatment of prisoners and children in detention.

73. Besides, training on the Standard Operating Procedures (SOPs) relating to the operationalisation of Gender and Children's Desks in police stations have been conducted. Notably, the SOPs were developed and adopted in 2013, consequent to which the State party has now printed adequate copies of the same, which will be widely disseminated to all concerned actors by December 2014. The State party has also prepared and adopted SOPs for Prevention and Response to GBV and Child Abuse, which are in both English and Kiswahili. They have been widely disseminated to relevant actors.[24]

74. In addition, the Guide to the Community Rehabilitation Programme for Zanzibar has been developed and will become operational by December 2014. The Guide includes appropriate protocols for relevant referral bodies. In fact, the mapping of non-State actors (NSAs) who will work with the State in the implementation of the scheme has been conducted. The scheme will deal with children in conflict with the law and children at risk of offending just like it is the case with the one already being implemented in the Mainland.

U. Development of child participation

75. In respect of child participation, the State party recently went through a national consultation involving about 50 children from around the country, and including marginalized children, who met in Dar es-Salaam between 22 and 23 September to take part in the global consultation to mark the twenty-fifth anniversary of the Convention on the Rights of the Child. The consultation was a platform to highlight priority issues emanating from children's own experiences of the implementation of the Convention. As part of this consultation, two representatives of children took part in the global event, by talking directly through a *Google+Hangout* event, to the Committee on the Rights of the Child on 24 September 2014. The choice of Tanzania as one of the two African countries to

[23] Act No. 1 of 1980.

[24] It should be noted that the SOPs are prepared taking into account divergent and specific contexts prevalent both in the Mainland and Zanzibar.

take part in this discussion underscores the recognition by the Committee of the progress made by Tanzania in the implementation of the Convention.